

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DATACORE SOFTWARE)
CORPORATION,)
Plaintiff,)
v.) C.A. No. 22-cv-535-GBW
SCALE COMPUTING, INC.,)
Defendant.)

**JOINT MOTION FOR EXTENSION OF THE DEADLINE FOR FACT WITNESS
DEPOSITIONS AND MODIFICATION OF THE SCHEDULING ORDER**

DataCore Software Corporation (“DataCore”) and Scale Computing, Inc. (“Scale”) jointly move for an extension to complete fact witness depositions and modification of the Scheduling Order. (D.I. 31).

Pursuant to the Scheduling Order (D.I. 31), the deadline for the completion of fact discovery is August 31, 2023. The parties require additional time to review and analyze the documents produced in this case, including documents produced within two weeks of the close of fact discovery, to adequately prepare for fact witness depositions. Accordingly, the parties jointly request an extension to November 30, 2023, to conclude fact witness depositions and a modification of the Scheduling Order as follows:

Event	D.I. 31 (current)	Proposed New Deadline
Fact Discovery Deadline	August 31, 2023	August 31, 2023
Deadline for Fact Witness Depositions	August 31, 2023	November 30, 2023
Initial Expert Reports	October 12, 2023	December 31, 2023

Rebuttal Expert Reports	November 9, 2023	January 31, 2024
Reply Expert Reports	December 7, 2023	February 21, 2023
Complete Expert Depositions	January 18, 2024	March 15, 2024
Case Dispositive and <i>Daubert</i> Motions Opening Briefs	February 15, 2024	April 5, 2024
Case Dispositive and <i>Daubert</i> Motions Rebuttal Briefs	March 14, 2024	May 3, 2024
Case Dispositive and <i>Daubert</i> Motions Reply Briefs	March 28, 2024	May 17, 2024
Case Dispositive and <i>Daubert</i> Motion Hearing	May 30, 2024 at 1:00 p.m.	July 17, 2024 (subject to the Court's availability)
Pretrial Order	July 25, 2024	July 31, 2024
Proposed Voir Dire, Jury Instructions, and Special Verdict Forms	July 29, 2024	August 2, 2024
Pretrial Conference	August 1, 2024	August 6, 2024 (subject to the Court's availability)
Trial	August 20-22, 2024	August 20-22, 2024

For the foregoing reasons, the parties respectfully request that the Court extend the deadline to complete fact witness depositions and modify the Scheduling Order accordingly.

Respectfully submitted,

Dated: August 30, 2023

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